

REMARKS

Claims 1-8, 14 and 15 are pending in this application. By this Amendment, claims 1 and 2 are amended. Support for the amendment to claim 1 may be found, for example, in paragraph [0010]. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

I. Rejection Under 35 U.S.C. §112

The Office Action rejects claim 1 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. By this Amendment, claim 1 is amended to recite "a flat shape of a work" instead of "the flat shape of a work." Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

II. Rejection Under 35 U.S.C. §102

The Office Action rejects claims 1, 3, 5, 14 and 15 under 35 U.S.C. §102(b) as being anticipated by Akimoto ("Akimoto"). By this Amendment, claim 1 is amended to recite, in part, "at least a portion of the preliminarily discharged liquid droplets are discharged from the heads directly into the receiver." However, Akimoto does not disclose at least this limitation of independent claim 1. Therefore, Akimoto does not anticipate independent claim 1 and the claims dependent therefrom. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

III. Rejections Under 35 U.S.C. §103

The Office Action rejects claim 2 under 35 U.S.C. §103(a) as having been obvious over Akimoto in view of Suzuki; rejects claim 4 under 35 U.S.C. §103(a) as having been obvious over Akimoto in view of Fujii; rejects claim 6 under 35 U.S.C. §103(a) as having been obvious over Akimoto in view of Sekiguchi; and rejects claims 7 and 8 under 35 U.S.C.

§103(a) as having been obvious over Akimoto in view of Kawase. These rejections are respectfully traversed.

As discussed above, by this Amendment, independent claim 1, from which claims 2, 4 and 6-8 variously depend, is amended to recite, in part, "at least a portion of the preliminarily discharged liquid droplets are discharged from the heads directly into the receiver." However, Akimoto, Suzuki, Fujii, Sekiguchi and Kawase, alone or in combination, fail to suggest or teach at least this limitation. Accordingly, Akimoto and Suzuki, alone or in combination, would not have rendered obvious claim 2; Akimoto and Fujii, alone or in combination, would not have rendered obvious claim 4; Akimoto and Sekiguchi, alone or in combination, would not have rendered obvious claim 6; and Akimoto and Kawase, alone or in combination, would not have rendered obvious claims 7 and 8. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

IV. Double Patenting

The Office Action provisionally rejects claims 1-4 as being unpatentable over claims 4-8 of co-pending Application No. 11/588,240 on the grounds of non-statutory obviousness-type double patenting in view of Hiroshi. The provisional rejection is respectfully traversed.

Because the cited co-pending application has not issued, filing a Terminal Disclaimer to obviate a provisional double-patenting rejection is premature. See MPEP §706.02(k). Applicants respectfully request abeyance of the double patenting rejection.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of this application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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